IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR. JUSTICE N.V. RAMANA

WRIT PETITION No. 24865 of 2004

Between:

Baddula Chinnamma, W/o. Baddula Bachanna, Hindu,
Mukarala (V), Kalwakurthy (M), Mahabubnagar District.

..... PETITIONER

AND

1 The District Collector, Mahabubnagar District, Mahaboobnagar.
2 The Revenue Divisional Officer, Mahabubnagar Division,
Mahabubnagar District.
3 The Mandal Revenue Officer, Kalwakurthy (M),
Kalwakurthy,Mahabubnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or order direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in not considering the representation dated 11-10-2000 of the petitioner for payment of exgratia under Apathbandhu Scheme provided in G.O.Ms.NO. 644 Revenue Department, dated 0110-2001 is illegal, arbitrary and unconstitutional consequently direct the second respondent to consider the representation dated 11-10-2000 of the petitioner for payment of exgratia under Apathbandhu Scheme provided in G.O.Ms.No. 644 Revenue Department dated 1-10-2001.

Counsel for the Petitioner : Mr.K.V.SUBBA REDDY

Counsel for Respondents : G.P. FOR REVENUE

The Court at the stage of admission made the following :

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ORDER:

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Heard the learned counsel for petitioner and the learned Government Pleader for Revenue.

The petitioner stated to be owner of two acres of dry land in Survey No.282 of Mukarla village, Kalwakurthy mandal, Mahboobnagar district, and that her husband Baddula Bachanna had died on account of thunderbolt (Pidugu) while working in the said fields at about 4.00p.m. on 23.5.2000. It is stated that on the complaint made by the Village Administrative Officer, Kalwakurthy, the Kalwakurthy Police have registered the case and issued F.I.R.No.45 of 2000 under Section 174 of Cr.P.C. The case of the petitioner is that the Government of A.P. framed an accident Insurance scheme for the benefit of people below poverty line known as “Apathbandhu Scheme” vide G.O.Ms.No.644 dated 1.10.2001. The petitioner alleges that death of her husband is covered under the said scheme and stated to have made a representation dated 11-10-2000 to the second and third respondents for payment of exgratia. Since there was no response to her representation from the respondents for grant of exgratia, petitioner filed the present writ petition.

As can be seen from the above, petitioner’s husband was died on 23.5.2000 and to the said effect, a crime has been registered on 24.5.2000 with Kalwakurthy P.S. and the petitioner stated to have been made representation as far back as on 11.10.2000 to the respondents for grant of exgratia, however, the petitioner has not properly explained the reasons as to why she kept quite for all these days. Hence, the writ petition is dismissed on the ground of latches. No costs.

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N.V.RAMANA, J

Date: 30.12.2004

TVK/DA

To

1 The District Collector, Mahabubnagar District, Mahaboobnagar.
2 The Revenue Divisional Officer, Mahabubnagar Division, Mahabubnagar District.
3 The Mandal Revenue Officer, Kalwakurthy (M), Kalwakurthy,Mahabubnagar District.

4 Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

5 Two CD copies.